



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation (\$139,719.29).

MEETING DATE: April 5, 2006 City Council Meeting

PREPARED BY: City Attorney's Office

RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$139,719.29.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard for services incurred relative to the Environmental Abatement Program litigation that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total Amount
8001	93894	2/28/2006	General Advice/Environmental Matters	\$422.86
8002	93892	2/28/2006	People v M&P Investments	20,829.66 (487.50)
8003	93893	2/28/2006	Hartford Insurance Coverage Litigation	78,415.21 (3,870.00)
8008	93895	2/28/2006	City of Lodi v. Envision Law Group	15,537.08
				<u>\$110,847.31</u>

Folger Levin & Kahn - Invoices Distribution

Invoice No.	Date	Description	Total Amount
6114	01/31/06	Peter Krasnoff, Expert	\$8,385.00
12984	01/29/06	Keith O'Brien, Hydrogeologist	\$15,853.61
13018	02/26/06	Keith O'Brien, Hydrogeologist	\$900.00
			<u>\$25,138.61</u>

Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Total Amount	Distribution	
11233.001	224087	02/25/06	General advice	1,305.40	100351.7323	183453.7323
11233.026	224087	02/25/06	Lodi First v. City of Lodi	2,246.92	2,246.92	1,305.40
11233.027	224087	02/25/06	Citizens for Open Govt.v.Col	181.05	181.05	
				<u>3,733.37</u>	<u>2,427.97</u>	<u>1,305.40</u>

APPROVED:


Blair King, City Manager

FISCAL IMPACT: Expenses in the amount of \$2,427.97 will be paid out of the General Fund and billed to Walmart for City's defense of the Lodi First and Citizens for Open Government litigation. The remaining expenses will be paid out of the Water Fund.

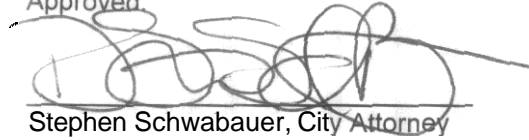
FUNDING AVAILABLE:	Water Fund	\$137,291.32
	General Fund	\$ 2,427.97

Approved



Ruby Paiste Interim Finance Director

Approved:



Stephen Schwabauer, City Attorney